

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: A.L. Jackson et al. Attorney Docket No.: ROSA134293
Application No.: 10/577696 Art Unit: 1631 / Confirmation No.: 3708
Filed: March 12, 2007 Examiner: Carolyn L. Smith
Title: METHOD OF DESIGNING SIRNAS FOR GENE SILENCING

RESPONSE TO RESTRICTION REQUIREMENT

Seattle, Washington 98101
March 18, 2010

TO THE COMMISSIONER FOR PATENTS:

INTRODUCTORY COMMENTS

In response to the Examiner's Action mailed February 18, 2010, please enter the following election and remarks.

Election

In response to the Examiner's restriction requirement, applicants hereby provisionally elect, with traverse, the claims of the Examiner's Group I (Claims 1-51), drawn to a method for selecting one or more siRNAs for silencing a target gene via ranking siRNAs according to positional base compositions of a corresponding targeted sequence motif comprising first and second sequences. The foregoing election is made without prejudice to applicants' right to pursue claims directed to non-elected subject matter in one or more divisional applications.

Traverse

In the restriction requirement, the Examiner has acknowledged that the claims identified as Groups I-VII share a single inventive concept under PCT Rule 13.1, because the inventions of these groups require the technical feature of selecting and ranking siRNAs for silencing a target gene and position-specific base composition scoring. However, the Examiner has taken the position that this technical feature is not a special technical feature because it does not make a

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